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Amendment
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REMARKS

Pending Claims

Claims 1-8, 11 and 16-23 are pending in this application. Claims 9, 10 and 12-15

have been canceled without prejudice or disclaimer. Claims 1, 3, 11, 18 and 22 have been

amended. No new matter has been added.

Telephone Interview

Applicants appreciate the Examiner's granting of a Telephonic Interview on February

7, 2008 with the undersigned attorney. Proposed amendments to claim 1 were discussed

along with general aspects of the Beelitz and Amberg references. However, no agreement

was reached as to the allowability of the proposed amendments to the independent claims

since the Examiner needs to conduct additional searching and consideration of the amended

claims as presented in the formal reply.

Applicants have incorporated the limitation of the second system configuration

information collected by the user's computer system, and further have included the language

that the second system configuration information indicates hardware components of the user's

computer system, as recommended in the Interview. Additionally, Applicants have included

the amendments to the sending step and the managing step as proposed. The amendments

made to the independent claims are consistent with the proposals discussed in the Interview,

and are fully discussed in the following remarks.

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Claim Objection

Claim 11 has been amended to correct the typographical error.

Claim Rejections Under 35 U.S.C. §112

Claims 3, 11, 18 and 22 are rejected under 35 U.S.C. §112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter of

the invention. The claims have been amended to consistently recite either system or method

preambles in consideration of the limitations expressed in each claim, in order to overcome

the objection kindly noted by the Examiner.

Claim Rejections under 35 USC §§ 102 and 103

Claims 7 and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by Beelitz

et al, U.S. Patent No. 6,247,126 (beelitz). Claims 1-6, 8, 11, 16-19 and 21-23 are rejected

under 35 U.S.C. §103(a) as being unpatentable over Beelitz in view of Amberg et al, U.S.

Patent No. 5,995,757 (Amberg). This rejection is traversed for the following reasons.

Applicants submit that the features of the present invention, as now more clearly recited in

the claims, are not taught or suggested by Beelitz or Amberg, whether taken individually or in

combination with each other in the manner suggested by the Examiner. Therefore,

Applicants respectfully request the Examiner to reconsider and withdraw the rejections.

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The amendments to the claims clearly set forth that one feature of the invention is that

the software components that are sent to the user's computer that are required for operation of

the hardware components are determined from both the system configuration information that

is previously stored in association with identification information that is related to the user's

computer and the system configuration information that is collected by the user's computer.

Further, the system configuration information that is previously stored in association with

identification information is managed so that it is updated with the system configuration

information collected by the user's computer.

Specifically, the identification information of the user's computer system, which is

known from the built to order (BTO) scheme, and identifies the user's computer system, is

stored with associated (first or second) system configuration information that indicates the

hardware components of the user's computer system. This information is stored in a server

having various databases as shown, for example, in Figs. 1 and 2. Also, the software

components required for operating the hardware components are stored. As clarified by the

amendments to the independent claims, the system configuration information as determined

by the identification information and the system configuration information that is collected by

the user's computer system is used to determine the software components that are required for

operation of the user's computer, and the determined software components are sent to the

user's computer. Further, the system configuration information that is stored by the server,

for example, is managed so that it is updated with the system configuration information

collected by the user's computer. In this way, the user's computer retrieves the software

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components required for the operation of the hardware components known to have been

installed according to the BTO scheme and also any hardware components added by the user

after purchase and delivery of the computer system. See page 17, lines 3-13 of the

specification.

Beelitz discloses a BTO system in which software is installed for the systems that are

customized in accordance with a user's preferences. When comparing Beelitz to claim 1, the

reference does not disclose identification information, which identifies the user's computer

system, that is associated with the first system configuration information and that indicates

the hardware components of the user's computer system, as recognized by the Examiner. The

reference also does not disclose the second system configuration information of claim 1, as

amended, that is collected by the user's computer system, which indicates hardware

components of the user's computer system, for example hardware components added by a

user after the computer system is built in accordance with the BTO scheme. Further, with

respect to claim 1, the reference does not disclose first system configuration information that

is managed so as to update the first system configuration information with the second system

configuration information. The same differences are evident from a comparison of Beelitz

with the invention set forth in claim 7, accordingly the 35 U.S.C. § 102(e) rejection of claims

7 and 20 should be withdrawn.

With respect to independent claims 1, 3, 4, 8, 11 and 16, Amberg is applied in

combination with Beelitz. Beelitz discloses a BTO computer system that has a system

descriptor record 370 indicating hardware components and installing software according to

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the components identified by the system descriptor record. The system descriptor record of

Amberg provides first system configuration information of a user's computer. However, the

user's computer does not collect system configuration information or update information

about the configuration that is known from the order.

Amberg discloses that a description of a computer's configuration can be modified by

providing a patch to the system descriptor record. See the description of Fig. 7, col. 12, lines

22-48 of the reference, which states in part:

> "For instance, if a manufacturer wished to substitute one brand of hard drives
> for another for a certain family of computer systems on a certain day, a patch
> may be formed which would modify all system descriptor records containing
> the hard drive to be substituted and make the substitution in module 610."

However, there is no step disclose by Amberg of accepting second system configuration

information <u>collected by the user's computer system</u>, as there is in the invention of claim 1

and the other independent claims, as amended herein.

Applicants also include the step of or means for managing the first system

configuration information so as to <u>update the first system configuration information with the</u>

<u>second system configuration</u> information. The system configuration information managed in

Amberg for a particular computer or family of computers is based on the system descriptor

record which is generated from the target computer system order 350. Therefore, Amberg

does not disclose or suggest this limitation which is found in each of the independent claims,

as amended.

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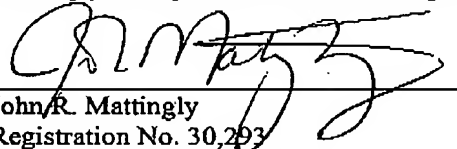Response to Office Action mailed August 8, 2007

The foregoing amendments to the independent claims patentably define the invention

over Beelitz and Amberg. Accordingly, reconsideration and withdrawal of the 35 U.S.C.

§103(a) rejection of claims 1-6, 8, 11, 16-19 and 21-23 are respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, Applicants contend that the above-

identified application is now in condition for allowance. Accordingly, reconsideration and

reexamination is requested.

                                        Respectfully submitted,

                                        Mattingly, Stanger, Malur & Brundidge, P.C.

                                        John R. Mattingly
                                        Registration No. 30,293
                                        Telephone: (703) 684-1120

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